

Hello. I thank you all for providing me this opportunity to speak. I'm Leon Walker, an almost 14 year Oakland County employee, and as you all likely know by now, currently the subject of criminal prosecution for reading my wife's email. I'm here to make a speak on the importance of your acting quickly to approve House Bill # 4532, which was proposed by Representative Tom McMillin to help eliminate the improper application of the legal statute used to prosecute me so that others are not faced with a similar fate. The proposed Bill would amend our State's "Fraudulent Access to a Computer" law to exempt, under most conditions, co-habiting spouses and parents of minor children from prosecution with this statute. This would help protect persons like myself, a father and husband engaged in a custody dispute, from facing potential intervention by government law enforcement into what are clearly personal and family matters.

There are many issues regarding my case that are worth discussion. The law as it currently exists isn't written to include email services and how dishonesty & misconduct have played a significant role in my prosecution amongst other things. However, I will not spend time on these issues. Instead, I feel that the best way for me to help you to understand the importance of approving this amendment is to give details of my experience to you so that you can fully understand the impact this has had on my life. I will condense this as best I can, but it's important that I be somewhat descriptive as I feel this is the best opportunity for you all in the legislature to gain an honest and accurate perspective on the issues that have been caused here. I ask that you bear with me for a moment.

My story started off rather typical. I met my ex-wife in summer 2005 while we both worked for Oakland County. After a period of dating, we gave birth to our daughter in October 2007 and in January 2008, we were married. I was her 3rd husband and she'd already had a son with her 1st. This was my first marriage. Immediately after marriage though, there were clear issues. While I preferred to be home with my family, my wife preferred to go out with friends, which she did... often as many as 5 times in a week. While this shocked me, I coped by focusing that much more on my daughter and home. Eventually, evidence began to arise of extra-marital affairs. Still, I focused on my daughter and even put a concerted effort into trying to recover what chance there was for our family. By May 2009, it was clear that my wife was spending nights out with other men. When considered that she'd had my step-son out with her one several of these occasions, the troubling implications of that concerned me enough to investigate. A review of our phone records proved that she'd been reengaged in a long term relationship with her 2nd husband, a man whom she claimed had beaten her previously. Considering that our daughter was often with her while I worked, this concerned me to no end. Out of tremendous concern for my daughter and step-son, I chose to review my wife's emails to learn of what exposure they may have had to this relationship.

My wife primarily used my notebook for internet access, I'd helped create the Gmail account that she used, and she'd at times asked me to review emails for her so I didn't consider it to be much of an issue for me to read her mail if I had to. I thought that maybe she would have changed her password in the years since the account was created, but when I reviewed the phone book which she kept next to the laptop, she still used the same few passwords for

dozens of different online accounts and she in fact was still using the original password for the Gmail account that was used when the account was created.

In the emails, details that I confirmed were in fact **far worse** than I'd ever imagined. Both my daughter and stepson were being exposed to a terrible environment of abuse, deception, neglect, endangerment, and racism. I learned that information regarding my wife's prior history of abuse was being largely hidden concealed to everyone, myself included. I also learned that my wife was obsessively violating my privacy throughout our relationship. She'd search my home-office the moment I left for work daily, she'd wake up in the night sometimes twice a night to find my mobile phone to review my text messages and call history, often sending copies of my texts to her friends and making hang-up calls to numbers that she didn't recognize in my caller ID. She'd even placed a tracking device in my car for weeks and worked with her family and friends to map where I'd driven during this time. Taking a select few of the emails and copy of a police report I discovered that proved that she'd been beaten by her 2nd husband in front of her son, I notified my stepson's father of the abuse and endangerment issues and quickly moved to take legal actions to protect my daughter. As a result, restrictions were put in place immediately by the court to protect both children. The Friend of the Court investigated the issue and eventually recommended that both my stepson's father and I be awarded sole physical custody of our respective children. Reading the emails and learning the things that were being done to my daughter and I was an absolutely gut-wrenching experience. It was a very difficult, but to protect my children as I'd seemingly done, I felt it absolutely necessary. Unfortunately, things got even worse from there.

While the custody issues were being dragged out in court, my estranged wife still had full access to my home and was going out of her way to make things difficult, at the expense of us all. Then on February 1st, 2010, almost 8 months into a very contentious divorce and custody dispute, I was arrested and charged with a 5 year felony by the Oakland County Prosecutor for reading my wife's emails the year before. I was taken from my job, handcuffed, arrested, and I was initially suspended. While originally only in a divorce, I was now alone facing criminal prosecution by a zealous prosecutor working in concert with a zealous private attorney in my custody dispute.

The consequences of this are difficult to summarize. Most importantly, this prosecution has made it all but impossible for me to defend myself and protect my daughter in the custody dispute. I've been pushed to the breaking point financially, professionally and emotionally. I face bond restrictions that leave me constantly at risk of being arrested or imprisoned by merely an accusation from my ex-wife or her family. This has left me constantly terrified of potential incarceration. My expenses and losses have been so great that I've been forced into bankruptcy, foreclosure, and been repeatedly forced to represent myself in divorce proceedings, leaving me at a tremendous disadvantage as my wife has been represented by an attorney who is a close associate of her 2nd husband she's dating again. Many of the most important witnesses in my custody dispute, some Oakland County employees themselves, are so afraid of being retaliated against for speaking on my behalf that they have refused to testify. My reputation with Oakland County and my reputation in public have been all but

destroyed. The majority of the customers of my private IT business refuse to even respond to my calls.

With all of these things going on, my ex-wife still didn't lose legal access to my home until 12/14/2010, 10½ months after my arrest. In all of that time, the neurotic intrusions into my own privacy by my ex-wife didn't finally end until she was legally forced out. I still regularly caught her searching my office, searching my bags, searching through my computer, and searching through my phone down to the last month before she left my home.

An unfortunate fact in today's society is that marriages and relationships fail often. There are often conflicts, sometimes trust is breached or rules are broken in the home. I've been a repeated victim of this in my one marriage. You could argue that by reading my wife's emails that trust could have been breached there as well. These are things that occur in the homes of private citizens. It's an unfortunate part of life, I now know. Many of these times though, these private citizens attempt to do nasty things in desperation for an upper hand in a civil dispute or to enact revenge on another. That too is an unfortunate fact. What we can't allow though is for our government to be used as a tool to aid one of these private citizens to do harm to others and that's exactly what the Oakland County Prosecutor's interpretation of this statute facilitates. You have an opportunity to make government work better for the people, to be just and not wasteful. I ask all please consider doing what's right in this situation and help prevent what has happened to me from going on any longer and from happening to anyone else. Thank you.